

Remarks

Applicants respectfully request reconsideration of this application as amended, and consideration of the following remarks.

Status of the Application

Claims 1-19 have been cancelled.

Claims 20 and 25-26 are amended. Claim 20 is amended to add narrowing limitation. Claim 25 is amended to correct typographic error. Support for claim 26 can be found in specification. No new matters are added.

Claims 20-29 are pending in this application.

Rejections

Rejections under 35U.S.C. 101

Claims 20-29

Claims 20-29 are provisionally rejected under 35U.S.C. 101 as claiming the same invention as that of claims 1-10 of copending Application No. 7,031,562. Claim 20 has been amended to more particularly point out what Applicants regard as the invention. Claim 20 as amended recites “and wherein the at least one optical scattering element is an element **having geometrical shape different than a shape chosen from the group comprising cylinders, ellipsoids, hemispheres, rectilinear trenches or solids, cones, angled cylinders, angled hemispheres, angled ellipsoids, angled rectilinear trenches or solids and angled cones and wherein the spacing element to element may be uniform.**” Applicants respectfully submit that

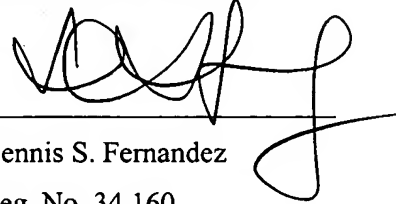
the added limitation is sufficient to render the claimed invention distinct from claim 1-10 of copending Application No. 7,031,562. Claims 21-29 depend from claim 20 and therefore are distinct from claim 1-10 of copending Application No. 7,031,562. Accordingly Applicant respectfully request withdrawal of rejection of claims 20-29.

Conclusion

In view of the foregoing, Applicant believes that all of the claims 20-29 are now in condition for allowance and respectfully requests the Examiner to issue a timely Notice of Allowance. If for any reason, the Examiner believes any of the claims are not in condition for allowance, he is encouraged to phone the undersigned at (650) 325-4999 so that any remaining issues may be resolved.

The above changes are believed not to add new matter, as support is found in the specification.

Respectfully submitted,



Dennis S. Fernandez

Reg. No. 34,160

Date: 9/15/06

Address: **FERNANDEZ & ASSOCIATES LLP**
Patent Attorneys
1047 El Camino Real
Menlo Park, CA 94025

Customer No: **22877**

Phone: (650) 325-4999
Fax: (650) 325-1203
Email: iploft@iploft.com